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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/455,623	12/07/1999	ROBERT JOHN BAIYOR	BAIYOR-1-9-1	5406

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/455,623

Applicant(s)

BAIYOR ET AL.

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Remarks filed 5/30/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 17, 32, and 49 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 17, 32, and 49 recite differentially processing and routing each outgoing call leg, and also applicant includes in his argument the example of routing of a cellular call takes longer than does the application of ringing to a landline telephone. The claims contain subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make or use the invention.

Claim Rejections - 35 USC § 103

4. Claims 1-4, 6-21, 24-38, and 41-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein (U.S. Patent 5,583,925) in view of Harlow et al. (U.S. Patent 5,206,901).

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Regarding claim 1, Bernstein discloses the steps of: receiving an incoming call (col. 1, lines 44-45); processing and routing outgoing call legs associated with directory numbers ("speed dial codes") to form a plurality of outgoing call legs and connecting an answered outgoing call leg, of the plurality of outgoing call legs, to the incoming call leg for a multiple leg telecommunication conferencing session (col. 1, lines 48-50). Speed dial code in Bernstein is analogous to the primary directory number. A user enters the speed dial code to establish the conference connections / conference bridges (col. 4, lines 15-26). However, Bernstein does not disclose determining a plurality of secondary directory numbers associated with the primary directory number and monitoring answering of the plurality of outgoing call legs.

Harlow discloses determining a plurality of secondary directory numbers associated with the primary directory number ("a destination directory number") (col. 2, lines 9-19), and monitoring answering of the plurality of outgoing call legs (col. 2, lines 49-53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor answering outgoing call legs after routing them in order to either connect it to incoming call leg or alert it for a predetermined period of time then tear down the call.

Claims 2, 19, and 36 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Bernstein discloses determining the directory numbers are configured for a conference mode (col. 3, line 67 thru col. 4, line 15).

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Regarding claims 3, 20, and 37, Bernstein does not disclose continuing to alert an unanswered outgoing call leg, of the plurality of outgoing call legs, until a predetermined period of time has elapsed. Harlow discloses alerting applied to the lines associated with the primary and secondary directory numbers until one of the lines reports off-hook reads on claimed mentioned above. Obviously, alerting an unanswered outgoing call leg will stop after a predetermined period of time has expired in order to save system resource.

✓ Regarding claims 4, 6, 7, 21, 24, 38, and 41, Harlow teaches when the elderly person is living alone at the primary number and did not answer the phone after a predetermined period of time, for example, after five rings, releasing the outgoing call to the primary number and then place a call to a second telephone number, and the predetermined period of time is determined from a no answer time parameter (col. 8, lines 28-47).

Claims 8-10, 25-27, and 42-44 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, ^{✓ Bernstein} Harlow discloses a user enters the speed dial code to establish the conference connections / conference bridges (col. 4, lines 15-26) ^{25-27, 20-22} and concurrent alerting ("ringing is applied to each line") to a plurality of outgoing call (col. 4, lines 55-60).

✓ Regarding claim 11, full duplex is simply well known in the multiple leg teleconference session. For example, outgoing call legs and incoming call legs.

Regarding claims 12, 13, 28, 29, 45, Harlow discloses the plurality of second directory numbers corresponding to the primary directory number are predefined and

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stored in a database (Fig. 1, 217), SCP 160 interfaces with the database to perform a lookup in data base 175 and returns the secondary destination numbers through STP 160 to SSP120 (col. 5, lines 22-38).

Regarding claim 14, Harlow discloses determining the plurality of directory numbers is performed by a database query designating the primary directory number (col. 5, lines 22-38).

Regarding claims 15, 16, 30, 31, 47, and 48 Bernstein does not suggest terminating the multiple leg telecommunication conference session upon termination of the incoming call leg, or a penultimate call leg remaining from a plurality of call legs forming the multiple leg telecommunication conferencing session. Terminating the conference session upon a penultimate call leg being terminated is obvious and well known in the art, and the advantage of using it is also well known, simply there would not be a conference if there is only one conferee left.

Claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Bernstein a database having stored in a memory a plurality directory numbers (Fig. 1, 225 and col. 2, line 63 thru col. 3, line 3); and a switching center coupled to the database (Fig. 1, 205, 210, 215, and 220).

Regarding claim 33, the home location register is inherent in mobile communication.

Regarding claim 34, Bernstein does not disclose mobile switching center. Harlow discloses the switching center is a mobile switching center (col. 4, lines 16-19).

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Regarding claim 35, Bernstein discloses the steps of: a network interface for reception of an incoming call leg designating a primary directory number and for transmission of an outgoing call leg; a memory (col. 3, lines 35-38) storing a plurality of directory; a processor coupled to the network interface and to the memory (col. 2, line 38 thru col. 3, line 3).

Regarding claim 50 Bernstein does not disclose mobile communication conferencing system. Harlow discloses a mobile switching center having an interface (col. 4, lines 16-19); a home location register is inherent in mobile communication; a conference bridge coupled to the mobile switching center is simply well known in the art. For example, participants use wireless telephone. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of a mobile switching center having an interface; a home location register; a conference bridge coupled to the mobile switching center, as taught by Harlow, in Bernstein's system in order to have a better system.

Claims 51-56 are rejected for the same reasons as discussed above with respect to claims 3 and 4, 5, 13, 15-17, respectively, since the mobile switching center is comprising: 5ESS switch and ECP, therefore same instructions processing as in regular switching environment.

Regarding claim 57, Bernstein does not disclose the reception of a LocationRequest containing the pilot directory number, the home location register transmits an ANSI-41 compatible LocationRequest RETURN RESULT to the mobile switching center, the ANSI-41 compatible LocationRequest RETURN RESULT

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containing a listing of each secondary directory number, the conference parameter, and corresponding routing, answering and terminating parameters for each secondary directory number. The use of ANSI-41 protocol is obvious at least in the mobile communications.

5. Claims 5, 22, 23, 39, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein (U.S. Patent 5,583,925) in view of Harlow et al. (U.S. Patent 5,206,901) and further in view of Brennan et al. (U.S. Patent 5,329,578).

Regarding claims 5, 22, and 39, Bernstein does not teach processing and routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered outgoing call leg.

Brennan et al. teach routing the call to second directory number ("other devices such as pager, a messaging system, or operator") associated with the previously unanswered call ("possible destinations for completing calls when a subscriber can't be reached") (col. 6, lines 5-46).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of routing a second outgoing call leg to a corresponding secondary directory number associated with a previously unanswered call, as taught by Brennan, in Bernstein's system in order to provide the subscriber with a communication mobility telephone services.

Claims 23 and 40 are rejected for the same reasons as discussed above with respect to claim 6.

Response to Arguments

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6. Applicant's arguments with respect to claims 1-57 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that an ANI is not a primary directory number and the telephone numbers of Bernstein are associated with an ANI and not a primary directory number. Examiner respectfully disagrees. Examiner never associates an ANI with a primary directory number. Speed dial code in Bernstein is analogous to the primary directory number. A user enters the speed dial code to establish the conference connections / conference bridges (col. 4, lines 15-26).

Applicant argues that Harlow is unconcerned with conference calling. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Examiner incorporates the features of monitoring and concurrent alerting applied to the lines, once one of the alerted telephones is answered, the other calls are dropped, as taught by Harlow, in Bernstein's system.

Applicant argues that Harlow does not disclose monitoring answering of the plurality of outgoing call legs. Examiner respectfully disagrees. Harlow teaches (col. 5, lines 11-21) that when an answer message is receive discontinue ringing.

Applicant argues that Harlow does not disclose continuing to alert an unanswered outgoing call leg until a predetermined period of time has elapse and Bernstein teaches away from stopping an alert after a predetermined period of time has expired. It would

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have been obvious to one of ordinary skill in the art at that it is necessary to stop alerting after a predetermined period of time in order to release resource that tied up to the call.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
July 30, 2003



AHMAD MATAR
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